



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

SUBDIVISION REVIEW BOARD

*Promoting the wise use of land
Helping build great communities*

| | | | |
|---|---|--|--|
| MEETING DATE December 5, 2005 | CONTACT/PHONE Josh LeBombard (805) 781-1431 | APPLICANT Raymond Cordoza | FILE NO. CO 04-352 SUB2004-00256 |
| SUBJECT Request by Raymond Cordoza for a Vesting Tentative Parcel Map using the Transfer of Development Credits program to subdivide an existing 10 acre parcel into two parcels of 5 acres each for the purpose of sale and/or development. The proposed project is within the Residential Rural land use category and is located at 7655 Feenstra Road, approximately 3.4 miles north of the community of Creston. The site is in the El Pomar/ Estrella planning area. | | | |
| RECOMMENDED ACTION Deny Tentative Parcel Map CO 04-0352 based on the findings listed in Exhibit A. | | | |
| ENVIRONMENTAL DETERMINATION This project is found to be statutorily exempt from the California Environmental Quality Act under the provisions of Public Resources Code section 21080(b)(5), which provides that CEQA does not apply to projects which a public agency rejects or disapproves. | | | |
| LAND USE CATEGORY Residential Rural | COMBINING DESIGNATION None | ASSESSOR PARCEL NUMBER 035-241-013 | SUPERVISOR DISTRICT(S) 1 |
| PLANNING AREA STANDARDS: None applicable to this project | | | |
| LAND USE ORDINANCE STANDARDS: L.U.O. section 22.24, Transfer of Development Credits | | | |
| EXISTING USES: Single-family residence | | | |
| SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Rural/Single-family residences <i>South:</i> Residential Rural & Agriculture/ Single-family residences & Agricultural production | | <i>North:</i> Residential Rural/Single-family residences <i>West:</i> Residential Rural & Agriculture/ Single-family residences & Agricultural production | |
| OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Ag Commissioner, CDF, California Department of Transportation, Parks Division, Air Pollution Control District | | | |
| TOPOGRAPHY: Level to gently sloping | | VEGETATION: Grasses | |
| PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF | | ACCEPTANCE DATE: May 10, 2005 | |
| ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242 | | | |

ORDINANCE COMPLIANCE:

Minimum Parcel Size

The property is zoned Residential Rural. Section 22.22.060 of the Land Use Ordinance defines the minimum parcel size for new lots in the Residential Rural category based upon site features including: Remoteness, fire hazard, fire response time, access and slope.

The Remoteness test indicates that the minimum parcel size shall be based upon the distance of the parcel proposed for division from the nearest urban or village reserve line, measured on the shortest public road route between the reserve line and the site. The distances are shown in the table below:

| Distance (Road Miles) | | Minimum Parcel Size |
|-------------------------|---------------------------|---------------------|
| From Urban Reserve Line | From Village Reserve Line | |
| 10+ | 5+ | 20 acres |
| 5-10 | 0-5 | 10 acres |
| 0-5 | N.A. | 5 acres |

(LUO; 22.22.060.A)

DISCUSSION:

The subject parcel is located approximately 6.4 miles from the community of Paso Robles. Based on the remoteness test, the subject parcel does not qualify for a standard division because the minimum parcel size is 10 acres. Thus, the applicant is requesting a subdivision of the 10 acre parcel which would result in two parcels of 5 acres each based on the provisions of the county Transfer of Development Credit Program (TDC).

TDC Receiver Site

Land Use Ordinance Section 22.24.070 provides for division of sites which do not otherwise qualify for division through use of the Transfer Development Credit (TDC) program. This program allows density to be transferred from an already established "sending site" to a "receiver site". The Transfer Development Credit (TDC) program provides for the creation of one additional parcel on properties which cannot otherwise qualify for a subdivision, including, properties within the Agriculture land use category, if the property meets all the other criteria to be designated a receiver site.

To qualify as a receiver site under Section 22.24.070 of the Land Use Ordinance, the site must meet the following criteria:

1. An Exemption (Categorical or General Rule), a Negative Declaration or a Final Environmental Impact Report, that does not identify significant, unavoidable adverse environmental effects, or exacerbation of such effects, relating to the additional density that would be allocated to the site, has been prepared or will be necessary as part of environmental determination for the proposed project.
2. The site is not within an Agricultural Preserve.

3. The site is within 5 miles of an urban or village reserve line except for the California Valley village reserve line.
4. The footprint of the area proposed for development (including new access roads and driveways) is less than 30 percent slope.
5. The footprint of the area proposed for development is outside of the Sensitive Resource Area (SRA), Flood Hazard (FH), Geologic Study Area (GSA), Earthquake Fault Zone, or Very High Fire Hazard Area as defined by the Land Use Element.
6. The footprint of the area proposed for development is outside of a Natural Area or Significant Biological Geographical or Riparian Habitat as defined by the Natural Areas Plan, the Land Use Element, or a subsequent revision or update of any element of the general plan.
7. The development will comply with: all development standards, water, sewage disposal and access standards, and land division standards as contained in Titles 19, 21, 22 and 23 of the county code.
8. The site was not an approved sending site, and also has a valid conservation easement recorded against the sending site.

Framework for Planning, General Goal 8 states that land uses should “Maintain a distinction between urban and rural development by providing for rural uses outside of urban and village areas which are predominantly agriculture, low intensity recreation, residential and open space uses which will preserve and enhance the pattern of identifiable communities.”

DISCUSSION:

The property is located in the Residential Rural Land Use Category. The property is located greater than 5 miles from any Urban Reserve Line (URL) but is within the required 5-mile distance from a Village Reserve Line (VRL). The site is approximately 3.4 miles north of the Creston VRL. The distinction should be made that currently when measuring distance in regards to TDC eligibility, the straight-line method is used. This means that this property is located 3.4 miles (as the crow flies) from the Creston VRL. As shown in the Exhibit *“Distance of APN 035-241-013 from Creston VRL”*, the property is approximately **5.48** miles from the Creston VRL using the measurement of the shortest public road route between the reserve line and the site.

The area generally consists of larger parcels with smaller parcels to the east in an area zoned Residential Suburban. The chart below outlines the parcel sizes of the parcels found within both the surrounding Residential Rural and Residential Suburban Land Use Categories. Exhibit *Parcels within Residentially Zoned Areas Near APN 035-241-013* depicts the physical layout of these parcels.

The average parcel size for parcels found within the surrounding residentially zoned property (including both the Residential Rural and the Residential Suburban Land Use Categories) is **8.68** acres. The proposal to split the 10 acre parcel into two parcels of 5 acres in size would not be consistent with the surrounding area because the size of the resulting parcels would be less than 58% of the average parcel size

Staff is concerned that a subdivision of this parcel into two parcels that are smaller than 58% of the average of the surrounding parcels, could create a precedent that could lead to a pattern of future subdivision of the larger parcels in the area. In addition, this proposal is inconsistent with Framework for Planning, General Goal 8, because the proposed division would increase the intensity of residential use beyond the average use that currently exists.

As mentioned above, the proposed subdivision is inconsistent with the intent of the TDC ordinance and staff is unable to make the findings for approval for this project

Sizes of Surrounding Parcels

| APN | ACRES | APN | ACRES | APN | ACRES | APN | ACRES | APN | ACRES |
|-------------|--------|-------------|--------|-------------|--------|-------------|-------|-------------|--------|
| 035-161-015 | 4.535 | 035-161-004 | 14.122 | 035-201-004 | 1.830 | 035-351-011 | 1.128 | 035-231-021 | 7.211 |
| 035-161-017 | 1.428 | 035-161-010 | 15.259 | 035-201-002 | 10.658 | 035-191-027 | 1.313 | 035-231-020 | 2.345 |
| 035-161-017 | 8.986 | 035-081-024 | 19.541 | 035-181-010 | 9.752 | 035-351-009 | 8.650 | 035-231-012 | 7.491 |
| 035-161-019 | 10.309 | 035-171-011 | 12.636 | 035-181-016 | 11.585 | 035-211-003 | 2.121 | 035-231-011 | 9.692 |
| 035-161-014 | 12.341 | 035-171-020 | 23.385 | 035-201-016 | 10.105 | 035-191-039 | 1.012 | 035-231-018 | 9.591 |
| 035-161-016 | 7.794 | 035-171-010 | 9.545 | 035-351-005 | 12.940 | 035-191-038 | 1.311 | 035-231-013 | 9.817 |
| 035-161-018 | 12.103 | 035-201-014 | 9.023 | 035-351-006 | 12.676 | 035-191-037 | 1.421 | 035-231-017 | 9.698 |
| 035-171-014 | 13.004 | 035-201-010 | 5.924 | 035-351-012 | 5.241 | 035-191-030 | 1.308 | 035-231-014 | 9.303 |
| 035-171-018 | 11.318 | 035-181-019 | 14.122 | 035-211-002 | 7.193 | 035-211-004 | 4.346 | 035-241-024 | 9.295 |
| 035-161-013 | 10.117 | 035-201-012 | 11.539 | 035-351-008 | 11.071 | 035-191-031 | 0.957 | 035-241-025 | 5.510 |
| 035-161-022 | 10.715 | 035-181-018 | 12.763 | 035-211-007 | 2.014 | 035-191-032 | 0.886 | 035-241-012 | 9.768 |
| 035-171-007 | 13.450 | 035-201-013 | 6.312 | 035-181-003 | 9.634 | 035-191-029 | 1.853 | 035-241-013 | 9.596 |
| 035-171-015 | 11.021 | 035-181-020 | 10.707 | 035-181-014 | 9.219 | 035-191-036 | 1.379 | 035-241-014 | 7.748 |
| 035-081-025 | 19.494 | 035-201-015 | 5.508 | 035-181-009 | 9.408 | 035-191-028 | 1.806 | 035-241-015 | 5.076 |
| 035-161-020 | 11.068 | 035-201-011 | 10.426 | 035-181-006 | 8.973 | 035-191-025 | 2.040 | 035-241-021 | 5.020 |
| 035-171-019 | 10.033 | 035-351-001 | 14.771 | 035-181-012 | 9.630 | 035-191-005 | 1.091 | 035-241-020 | 4.909 |
| 035-161-006 | 14.907 | 035-351-002 | 25.168 | 035-181-017 | 9.536 | 035-191-035 | 1.183 | 035-241-017 | 10.151 |
| 035-171-013 | 14.654 | 035-201-017 | 10.330 | 035-351-003 | 11.452 | 035-231-015 | 9.426 | 035-241-018 | 10.045 |
| | | | | 035-351-004 | 10.004 | 035-231-019 | 9.765 | 035-241-019 | 10.431 |

COMMUNITY ADVISORY GROUP COMMENTS: None applicable

AGENCY REVIEW:

Public Works – Recommended approval

Environmental Health – Indicated that the applicant shall provide evidence of on-site water and shall adhere to conditions in regards to well and septic systems.

Ag Commissioner – None received

County Parks – Indicated that quimby fees are required

CDF – Fire safety letter received March 18, 2005

APCD – Construction measures necessary to minimize air quality impacts

LEGAL LOT STATUS:

The lot was legally created by a recorded map at a time when that was a legal method of creating lots.

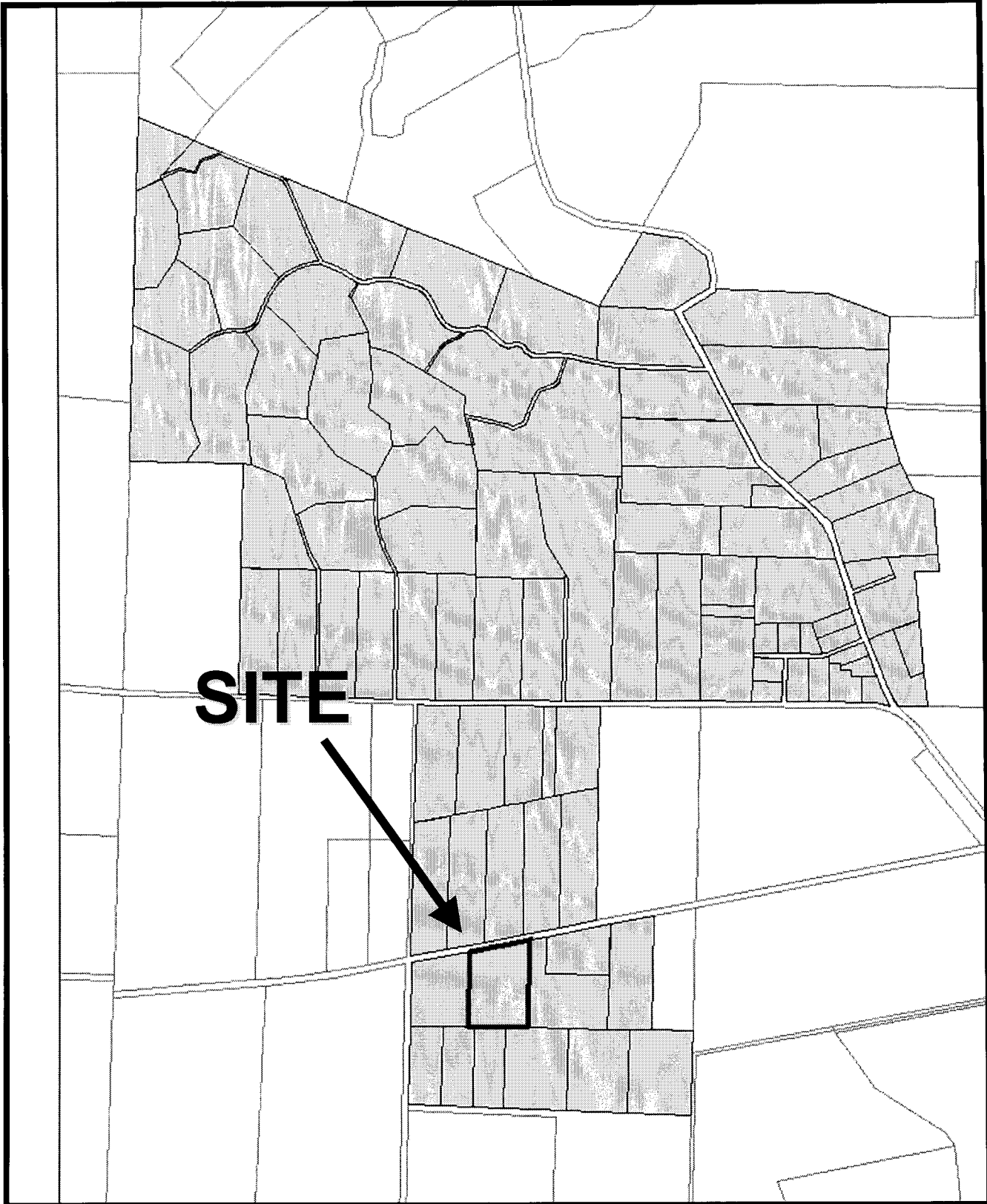
FINDINGS - EXHIBIT A

Environmental Determination

- A. This project is found to be statutorily exempt from the California Environmental Quality Act under the provisions of Public Resources Code section 21080(b)(5), which provides that CEQA does not apply to projects which a public agency rejects or disapproves.

Tentative Map

- B. The proposed map is inconsistent with applicable county general and specific plans; it does not comply with General Goal 8 of Framework for Planning because the proposed division would increase the intensity of residential use beyond the average use that currently exists.
- C. The proposed parcels are smaller than the majority of surrounding agricultural parcels in the vicinity, making the proposed parcels inconsistent with the pattern of development of the area.
- D. The proposed map is not consistent with the county zoning and subdivision ordinances because although the parcel map may technically meet the criteria to be a receiving site, it doesn't meet the "intent" of Chapter 22.24 (TDC Ordinance) as the intent is to locate development within close proximity of communities that have available infrastructure to support development. The community of Creston does not have ample services to accommodate density beyond what is allowed through standard subdivision at this time.



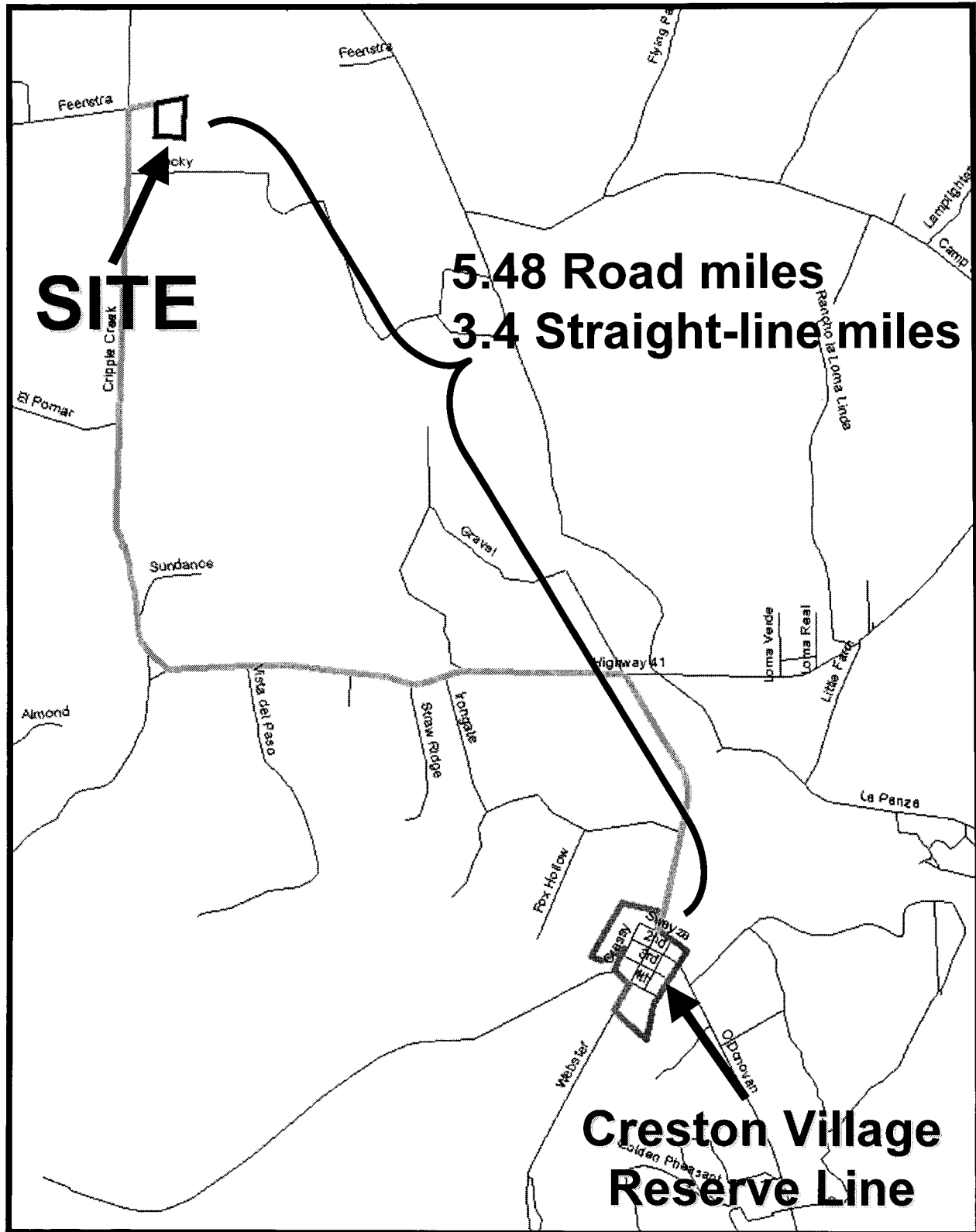
PROJECT

SUB2004-00256
Cordoza



EXHIBIT

Parcels within Residentially Zoned
Areas Near APN 035-241-013



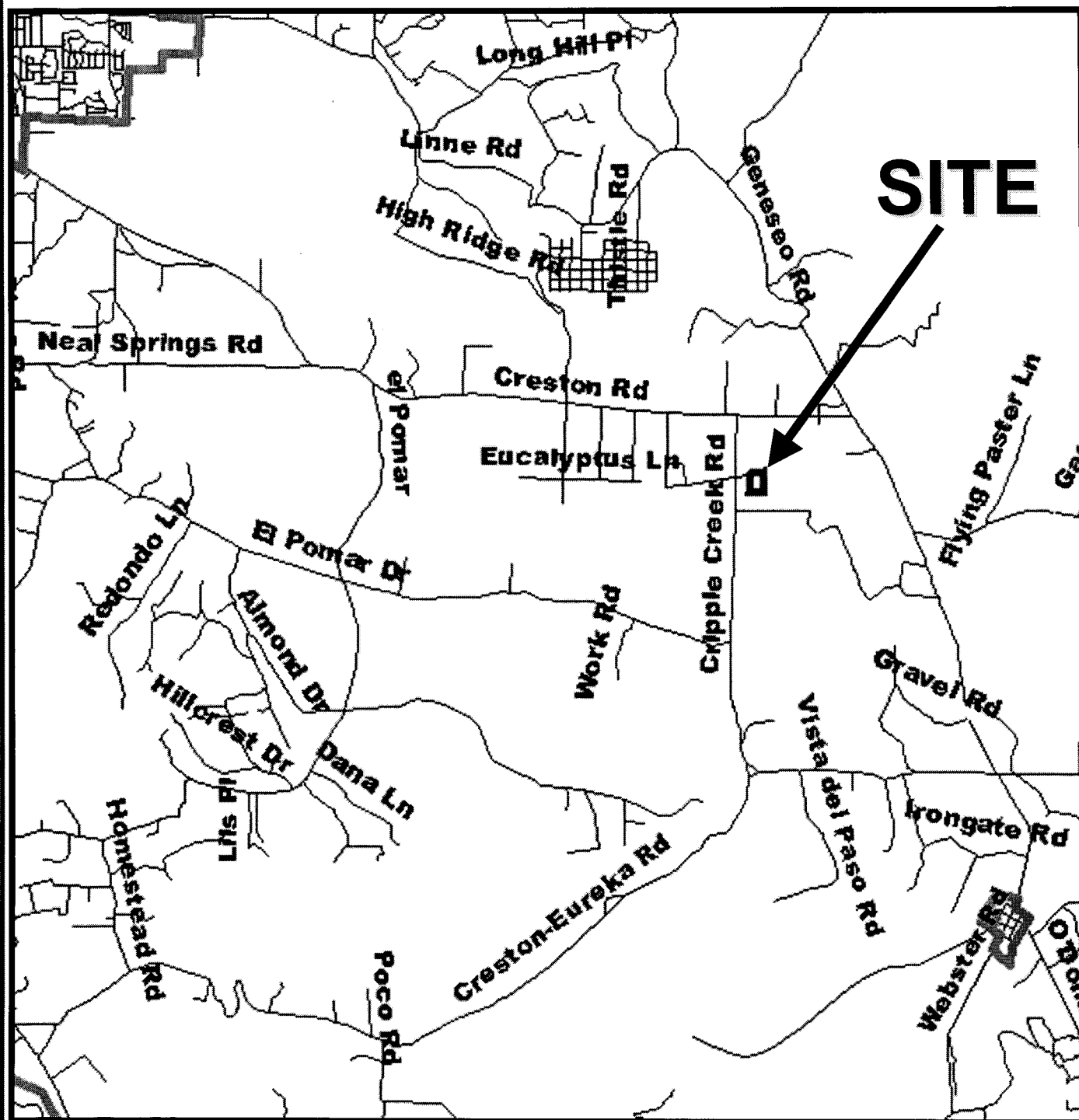
PROJECT

SUB2004-00256
Cordoza



EXHIBIT

Distance of APN 035-241-013
from Creston VRL



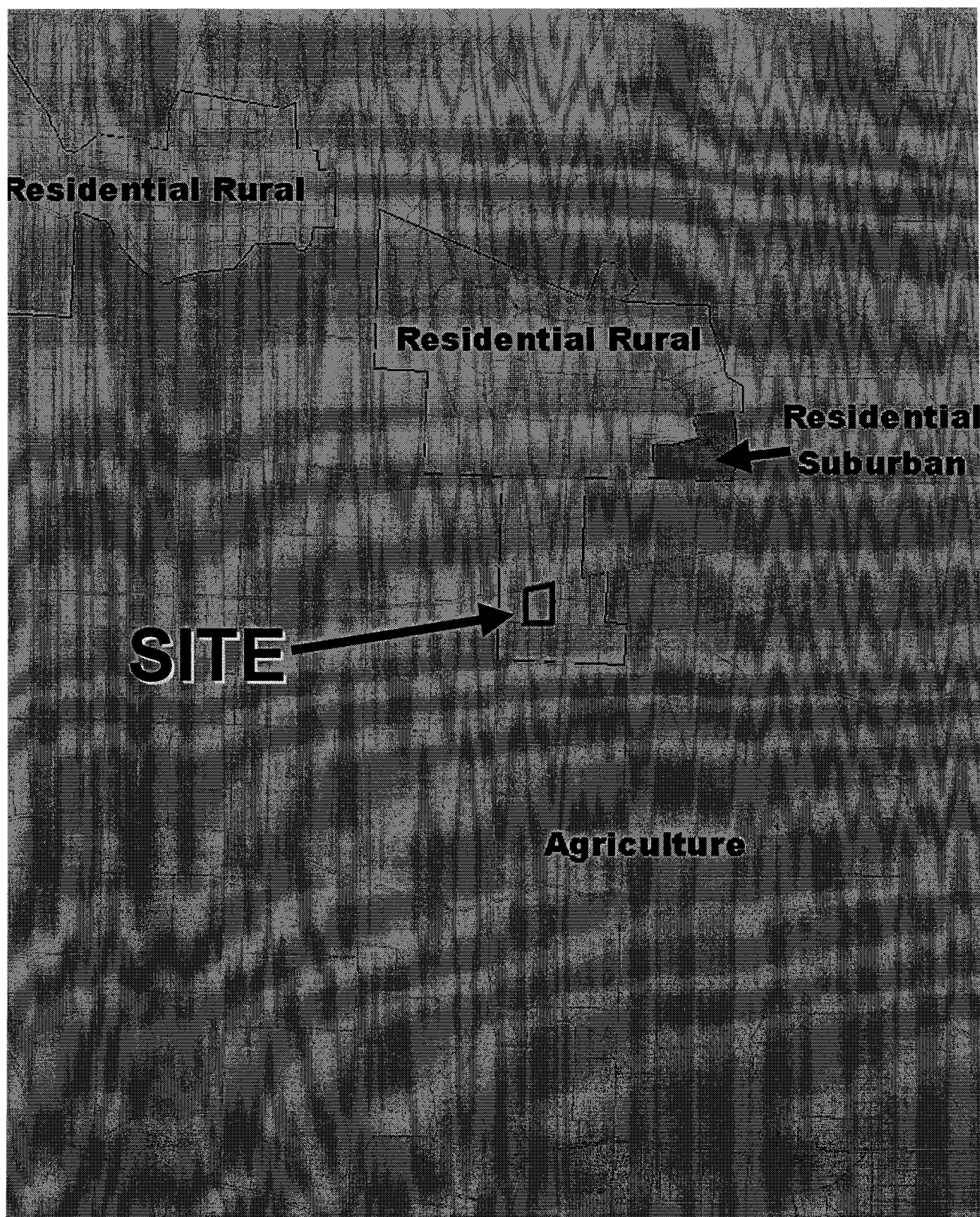
PROJECT

SUB2004-00256
Cordoza



EXHIBIT

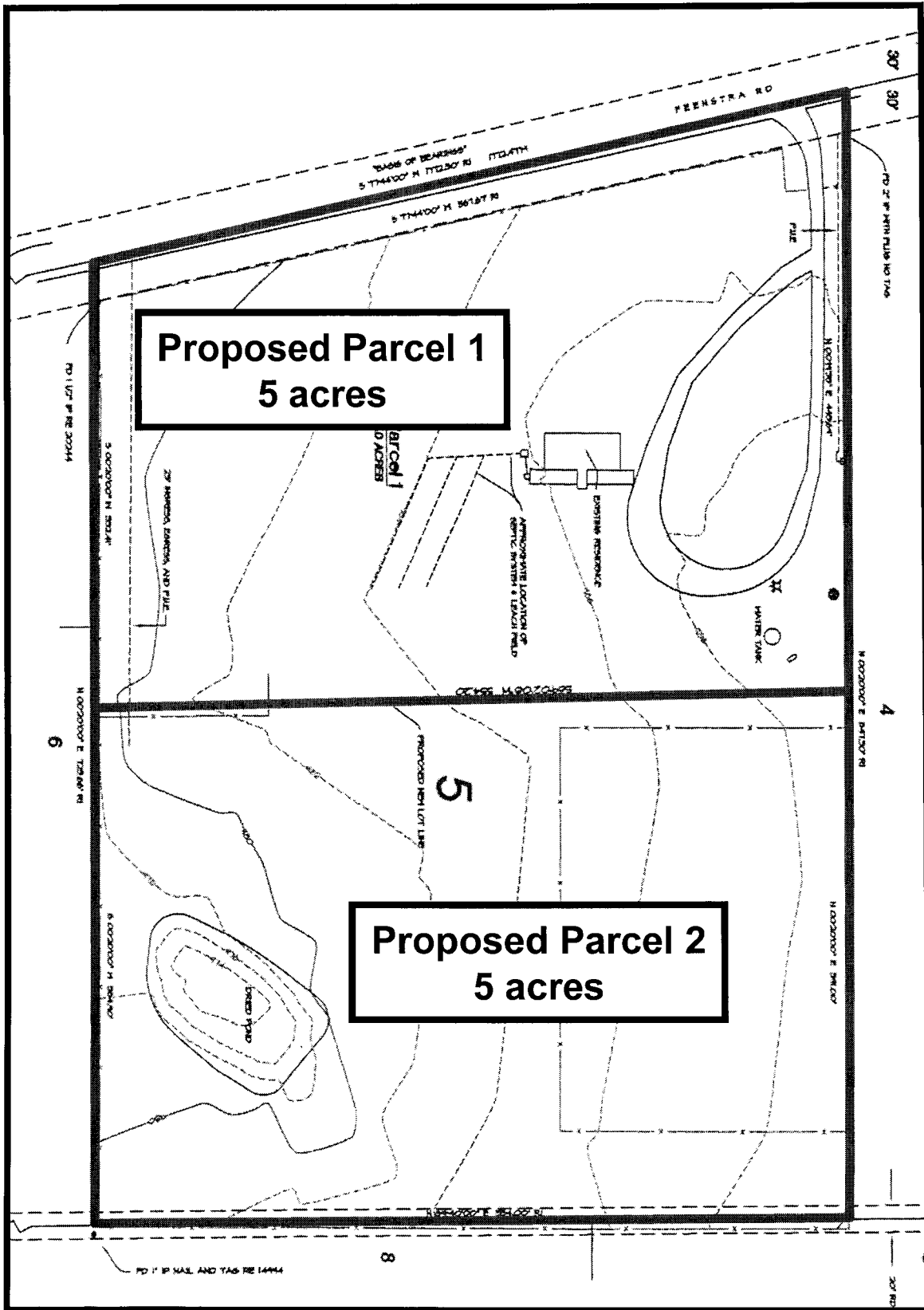
Vicinity Map

**PROJECT**

SUB2004-00256
Cordoza

**EXHIBIT**

Land Use Category Map



PROJECT

SUB2004-00256
Cordoza



EXHIBIT

Site Plan



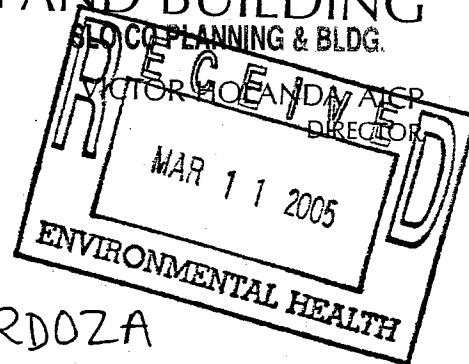
JXL

3-11

RECEIVED

SAN LUIS OBISPO COUNTY
MAR 8 8 2005

DEPARTMENT OF PLANNING AND BUILDING



THIS IS A NEW PROJECT REFERRAL

DATE: 2/23/05
TO: Env. Health
FROM: North Co. Team
(Please direct response to the above)

CORDOZA
SUB 2004-00256
Project Name and Number

Development Review Section (Phone: 781-788-2009) *OR ASK THE SWITCH-BOARD FOR THE PLANNER

PROJECT DESCRIPTION: Parcel Map -> Split 10 acre parcel into (2) 5 acre parcels. CO 04-0352, APN -> 035-241-013. Located on Fenstra Ave., near the Geneseo interseet-ion.

Return this letter with your comments attached no later than: 3/10/05, thank you.

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☐ YES (Please go on to Part II)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☐ NO (Please go on to Part III)
☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Please provide stock conditions for individual wells and septic systems. Applicant will need to develop water for both parcels and test production & Quality prior to recordation of this map.

3/29/05
Date

Damir Salo
Name

781-5551
Phone



XL
3 12
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR
MAR - 7 2005

THIS IS A NEW PROJECT REFERRAL

DATE:

2/23/05

FROM

PW

FROM
10

North Co. Team

(Please direct response to the above)

CORDOZA

SUB 2004-00256

Project Name and Number

Development Review Section (Phone: 781-788-2009) *OR ASK THE SWITCH-BOARD FOR THE PLANNERS

PROJECT DESCRIPTION:

Parcel Map -> Split 10 acre parcel into
(2) 5 acre parcels. CO 04-0352, APN -> 035-241-013.
Located on Fenstra Ave., near the Genesee intersect-
ion.

Return this letter with your comments attached no later than:

3/10/05, thank you.

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

RECOMMEND APPROVAL - STAFFS ATTACHED

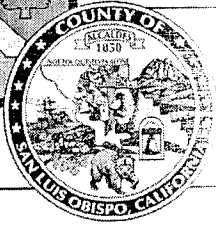
09 MARCH 2005
Date

Goodwin
Name

5252
Phone

JX' -

3-13



CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

March 17, 2005

North County Team
County of San Luis Obispo
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

RECEIVED

MAR 18 2005

SLO CO PLANNING & BUILDING

Subject: Parcel Map Project # SUB2004-00256 (Cordoza)

Dear North County Team,

I have reviewed the referral for the parcel map plans for the proposed two parcel subdivision project located at 7655 Feenstra Road, Creston, CA. This project is located approximately ten minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires. It is designated a Moderate Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

| | |
|----------------------------------|-----------|
| ○ Parcels less than 1 acres | 800 feet |
| ○ Parcels 1 acre to 4.99 acres | 1320 feet |
| ○ Parcels 5 acres to 19.99 acres | 2640 feet |
| ○ Parcels 20 acres or larger | 5280 feet |
- The road must be 16 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed 20%.

- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
 - 0-49 feet, 10 feet is required
 - 50-199 feet, 12 feet is required
 - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

Water Supply

The following applies:

☐ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.

☒ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,

Chad T. Zrelak
Fire Captain Inspector

cc: Cordoza
Vaughan Surveys

JXL

3-15



AIR POLLUTION
CONTROL DISTRICT
COUNTY OF SAN LUIS OBISPO

RECEIVED

MAR 14 2005

MAIL ROOM

DATE: March 7, 2005

TO: North County Team
San Luis Obispo County Department of Planning and Building

FROM: Jan Downs Vidalin, Air Quality Specialist *JDV*
San Luis Obispo County Air Pollution Control District

SUBJECT: Cordoza Parcel Map, Hwy 229 and Feenstra Rd., Paso Robles (SUB2004-00256)

Thank you for including the APCD in the environmental review process. We have completed our review of the proposed project located at Highway 229 and Feenstra Road outside of Paso Robles. The project involves a Parcel Map for the subdivision of 10 acres into two parcels of five acres each. Existing structures on the property include a residence and horse corrals. The property lies outside of the urban reserve line (URL) and is zoned residential rural (RR). The following are APCD comments that are pertinent to this project.

GENERAL COMMENTS:

This project, like so many others, falls below our emissions significance thresholds and is, therefore, unlikely to trigger a finding of significant air quality impacts requiring mitigation. However, we are very concerned with the cumulative effects resulting from the ongoing fracturing of rural land and increasing residential development in areas far removed from commercial services and employment centers. Such development fosters continued dependency on private auto use as the only viable means of access to essential services and other destinations. This is inconsistent with the land use planning strategies recommended in the Clean Air Plan (CAP), which promote the concept of compact development by directing growth to areas within existing urban and village reserve lines. The CAP recommends that areas outside the urban/village reserve lines be retained as open space, agriculture and very low-density residential development.

The District understands that under the County's Land Use Ordinance, parcels within the Residential Rural category, can be subdivided to a minimum lot size of five acres unless there is a Planning Area Standard restriction as is the case for this project. We also recognize that there are significant human-interest issues that are difficult to overcome, such as the desire of some applicants to settle estate matters through property splits. However, we believe it is important to emphasize to decision makers that subdivision and future development on these, and similar rural parcels throughout the county allows a pattern of development to continue that is ultimately unsustainable. Such development cumulatively contributes to existing stresses on air quality, circulation and other natural and physical resources and infrastructure that cannot be easily mitigated. We do not support this type of development.

Should this project continue to move forward against our recommendation, we would like to be included in the review of future development proposals for the property. As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

CONSTRUCTION PHASE EMISSIONS:

Dust Control Measures

The project as described in the referral will not likely exceed the APCD's CEQA significance threshold for construction phase emissions. However, construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the District's 402 "Nuisance" Rule. **APCD staff recommend the following measures be incorporated into the project to control dust:**

- Reduce the amount of the disturbed area where possible.
- Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.
- All dirt stock-pile areas should be sprayed daily as needed.
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible.
- Building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

Demolition Activities

The project referral did not indicate whether the existing structures on the proposed site will be demolished. Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). **If utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include but are not limited to: 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the Enforcement Division at 781-5912 for further information.

3-17

Cordoza Parcel Map
Page 3 of 3
March 7, 2005

Developmental Burning

Effective February 25, 2000, **the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.** Under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, APCD approval, and issuance of a burn permit by the APCD and the local fire department authority. The applicant is required to furnish the APCD with the study of technical feasibility (which includes costs and other constraints) at the time of application. If you have any questions regarding these requirements, contact Karen Brooks of our Enforcement Division at 781-5912.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, or if you would like to receive an electronic version of this letter, feel free to contact me at 781-5912.

AAG /JDV/sll

cc: Karen Brooks, APCD Enforcement Division
Tim Fuhs, APCD Enforcement Division
Applicant, Raymond Cordoza